

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARY HOWARD KIDGELL,
Plaintiff,
v.
COUNTY OF MERCED,
Defendant.

No. 2:24-cv-1580-TLN-SCR

ORDER

Plaintiff Gary Howard Kidgell (“Kidgell”) proceeds in this action in pro per. The matter was referred to a United States magistrate judge pursuant to Local Rule 302(c)(21).

On January 3, 2025, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice to that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 19.) Plaintiff filed objections to the findings and recommendations, and Defendant County of Merced (“Defendant”) filed responses thereto. (ECF Nos. 20, 21.)

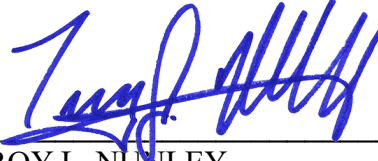
The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 3, 2025 (ECF No. 19) are adopted in full; and

- 1 2. Defendant's Motion to Dismiss (ECF No. 7) is GRANTED;
- 2 3. Plaintiff's Motion to File an Amended Complaint (ECF No. 15) is DENIED; and
- 3 4. Plaintiff's Complaint (ECF No. 1) is DISMISSED with prejudice, given the futility of
- 4 amendment.

5 IT IS SO ORDERED.

6 Date: February 12, 2025

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9 TROY L. NUNLEY
10 CHIEF UNITED STATES DISTRICT JUDGE